

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

JEFF NYE,

Plaintiff,

vs.

THE HARTFORD ACCIDENT AND
INDEMNITY COMPANY,

Defendant.

CIV. NO. 12-5028-JLV

**JOINT MOTION REGARDING
SCHEDULING**

Plaintiff Jeff Nye, through his attorneys Steven C. Beardsley and Brad J. Lee, and Defendant The Hartford Accident and Indemnity Company, through its attorneys Jason M. Smiley and F.J. Maloney, hereby submit this Joint Motion Regarding Scheduling.

On June 18, 2013, the Court entered an Order on Plaintiff's Motion to Compel and asked the parties to propose new deadlines to accomplish an orderly administration of this case. The parties have been communicating regarding a timeline for disclosure of the documents the Court ordered produced in the Order and have come to an agreement on deadlines to exchange those documents. However, the parties have also discussed the possibility of trying to resolve this case through mediation. The parties anticipate knowing whether mediation may be feasible within the next two weeks. If the parties agree to attempt mediation it is likely such mediation could be scheduled before August 30, 2013. The parties will be in a better

position to propose accurate new discovery and disclosure deadlines if they know whether attempting mediation is, or is not, possible.

As such, the parties request that the Court allow them until September 6, 2013, to propose new deadlines to accomplish an orderly administration of this case. In the alternative, if the parties determine that mediation is not feasible, the parties will propose new deadlines to accomplish an orderly administration of this case within 10 days of that determination.

Respectfully submitted this 9th day of July, 2013.

BEARDSLEY, JENSEN & VON WALD,
Prof. L.L.C.

By: /s/ Brad J. Lee
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CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of July, 2013, I sent to:

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by electronic filing a true and correct copy of ***Joint Motion Regarding Scheduling*** relative to the above-entitled matter.

/s/ *Brad J. Lee*
Brad J. Lee